

EDOK Criminal Complaint (Revised 6/13)

United States District Court
EASTERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

DUSTON DON SECREST,

Defendant.

CRIMINAL COMPLAINT

Case No. 21-MJ-04-KEW


I, Joseph Gravelle, the undersigned complainant, state that the following is true to the best of my knowledge and belief.

On or about January 13, 2021, in the Eastern District of Oklahoma, defendant committed the crimes of Possession with Intent to Distribute a Controlled Substance, Title 21, United States Code, Section 841(a)(1) and Use and Carry of a Firearm During a Drug Trafficking Crime, Title 18, United States Code, Section 924(c)(1)(A).

I further state that I am a Special Agent with Federal Bureau of Investigation, and that this complaint is based on the following facts:

(See attached Affidavit of SA Joseph Gravelle, which is attached hereto and made a part hereof by reference.)

☒ Continued on the attached sheet.




Joseph Gravelle
Special Agent
Federal Bureau of Investigation
Complainant

Sworn to before me and subscribed to  via phone. @ 3:35 PM.

Date: 1/15/2021

GARY PURCELL
UNITED STATES MAGISTRATE JUDGE
Name and Title of Judicial Officer



Signature of Judicial Officer



AFFIDAVIT

1. I, Joseph Gravelle, a Special Agent with the Federal Bureau of Investigation ("FBI"), being duly sworn, depose, and state as follows:

2. I have been employed as a Special Agent with the FBI since July 7, 2019. I am currently permanently assigned to the Portland Division of the FBI and am temporarily assigned to the Oklahoma City Division, Muskogee Resident Agency. My duties include, among other things, the investigation of violent crimes and sexually based offenses occurring within Indian Country. While employed with the FBI, I have investigated and participated in investigations involving federal criminal violations related to gang activities, drug trafficking, firearms offenses, domestic terrorism, and other crimes.

3. Prior to being employed as a FBI Special Agent, I was a Police Officer in Colorado for 12 years. During that time, I was a Patrol Officer and a Police Sergeant, where I used sophisticated techniques, search warrants, consensual recordings, surveillance, and other methods to investigate crimes against children and adults, as well as crimes against property.

4. As a Federal Agent, I am authorized to investigate violations of the laws of the United States, and to execute warrants issued under the authority of the United States.

5. The statements contained in this Affidavit are based in part on information provided by other agencies, written reports, independent investigation, and my training and experience as a Special Agent with the FBI. Because this Affidavit is being submitted for the limited purpose of establishing probable cause to believe that DUSTIN DON SECREST ("SECREST"), date of birth 01/27/1982, committed the below described offense(s), I have not included every detail of the investigation. In addition, unless otherwise indicated, all statements contained in this Affidavit

are summaries in substance and in part. The following is true to the best of my knowledge and belief:

6. As it will be shown, there is probable cause to believe that DUSTIN DON SECREST committed following offenses(s):

, Possession with Intent to Distribute a Controlled Substance, in violation of Title 21, United States Code § 841(a)(1),

And,

Use and Carry of a Firearm during a Drug Trafficking Crime, in violation of Title 18 U.S.C. §§ 924(c)(1)(A).

7. VENUE: the facts and circumstances alleged in this Affidavit occurred within the Eastern District of Oklahoma.

8. DEFENDANT: the defendant is DUSTIN DON SECREST, hereinafter referred to as "SECREST." For purposes of Federal Jurisdiction, SECREST is an Indian and is an enrolled member of the Muscogee (Creek) Tribe.

9.

10. BACKGROUND: On 01/13/2021 at approximately 2351 hours, Sgt. Bobby Pickett was on patrol in the area of 273rd East Avenue and East 146th Street South in Coweta, Oklahoma, which is within the boundaries of the Muscogee (Creek) Nation. Sgt. Pickett observed a black Dodge Charger, bearing Creek Nation license plate H1F00, fail to stop at the stop sign posted for the northbound lane of South 273 East Avenue. Sgt. Pickett began following the Dodge Charger and his patrol vehicle radar detected the Dodge Charger's speed to be 70mph in a 35mph zone (eastbound on 146th Street South). While following the vehicle, Sgt. Pickett initiated his emergency lights in an attempt to stop the vehicle, and the vehicle accelerated further. The vehicle drastically

reduced speed and drove through the front lawn of 28604 East 146th South. The vehicle continued through a tree line and through a barbed wire fence, crossed a roadway and came to stop in a ditch. Sgt. Prickett observed a white male having some trouble attempting to exit the vehicle from the driver seat.

11. Sgt. Pickett arrived at the Dodge Charger and no longer observed the white male who had been attempting to exit the vehicle. Sgt. Pickett observed a backpack on the ground between a partially-open driver door and the door frame. There was a black wallet on the driver floorboard. The ignition key of Dodge Charger was next to the wallet. During an inventory of the vehicle, the wallet was found to contain several debit cards with the name "Dustin Secrest" on them, and an Oklahoma Driver License for "Dustin Secrest". A Samsung cell phone was also found under the passenger seat of the Dodge Charger.

12. Inside the backpack, the following items were located: one Colt 44 Magnum Anaconda revolver (serial number: MM04471), 44 Magnum ammunition, one clear plastic baggy containing a crystal rock substance, one clear glass pipe, and one set of digital scales. Due to the lack of availability on scene of a field test kit for narcotics, the crystal rock substance could not be tested. However, based on Sgt. Pickett's training and experience, he had a reasonable belief that the crystal rock substance contained methamphetamine. The crystal rock substance was later weighed and found to be approximately 8.9 grams.

13. A search of state records associated with the license plate on the Dodge Charger showed the vehicle to be a 2014 Dodge Charger, VIN: CC3CDXCT5EH342213, registered to SECREST.

14. A K9 track was attempted by Wagoner County Deputy Cruz and K9 "Ice". The track led to the residence of Donnie Secrest at 28604 East 146th Street South (the same residence

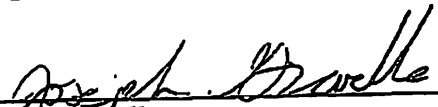
of which the Dodge Charger had driven through the front lawn of while eluding Sgt. Pickett). Sgt. Pickett knew Donnie Secrest to be the father of SECREST. Sgt. Pickett and Wagoner County Sheriff deputies contacted Donnie Secrest at the residence in an attempt to locate SECREST. Donnie Secrest allowed officers to search the home and SECREST was not located.

15. The facts presented in this Affidavit are not a complete recitation of all the facts known and unknown to law enforcement; rather, the Affidavit is solely offered to establish probable cause for the crimes presented in this Affidavit.

CONCLUSION

16. Based on a review of this case, and based on my knowledge and experience with violent crimes in Indian Country, I, as your Affiant, have probable cause for the issuance of an arrest warrant for DUSTIN DON SECREST for committing the crime Possession with Intent to Distribute a Controlled Substance in violation of Title 21, United States Code § 841(a)(1), and Use and Carry a Firearm during a Drug Trafficking Crime, in violation of Title 18 U.S.C. §§ 924(c)(1)(A), within the Eastern District of Oklahoma.

Respectfully submitted,


Joseph Gravelle
Special Agent
Federal Bureau of Investigation

telephonically
Subscribed and sworn to before me this 15th day of January, 2021. @ 3:35 P.M.


GARY PURCELL
United States Magistrate Judge